

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 /010 W

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R 160456Z SEP 76

FM AMEMBASSY WELLINGTON

TO CINCPAC

INFO CJCS WASHDC

SECDEF WASHDC

SECSTATE WASHDC 2005

C O N F I D E N T I A L WELLINGTON 3494

CINCPAC FOR ADMIRAL WEISNER (EYES ONLY)

CJCS FOR GENERAL BROWN (EYES ONLY)

SECDEF FOR MR. ABRAMOWITZ, DASD (ISA) (EYES ONLY)

SECSTATE FOR CHRIS SQUIRE, EA/ANP (EYES ONLY)

E.O. 11652: GDS

TAGS: MARR, ANZUS, NZ

SUBJECT: PROPOSED STATUS OF FORCES AGREEMENT WITH NEW ZEALAND

REF: (A) CINCPAC (DTG 160408Z JUL 79), (B) USSSO CANBERRA AS

(DTG 290441Z JUN 76)

1. DURING COURSE OF REAR ADMIRAL MCCLENDON'S VISIT IN WELLINGTON, HE RAISED WITH DATT/NAVAL ATTACHE THE STATUS OF US/NZ STATUS OF FORCES AGREEMENT (SOFA) DISCUSSED REFTEL B. I WANT TO BRING YOU ABREAST OF DEVELOPMENTS IN THIS MATTER AS I UNDERSTAND THEM.

2. AS INDICATED IN PARA FOUR OF REFTEL B, DEPUTY DIRECTOR OF LEGAL SERVICES, GNZ MINISTRY OF DEFENSE, ADVISED US IN JUNE THAT HE WOULD PREPARE A DRAFT SOFA FOR SUBMISSION TO USG AUTHORITIES AFTER COORDINATION WITH NZ MINISTRY OF FOREIGN AFFAIRS. BECAUSE THERE IS NO PRESENT OR IMPENDING URGENCY FROM THE USG VIEWPOINT FOR THE IMMEDIATE CONCLUSION OF A SOFA, WE FELT THEN, AS I CONTINUE TO BELIEVE NOW, THAT THE INITIATIVE CORRECTLY RESTS
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WITH THE GNZ AUTHORITIES WHO BRACHED THE MATTER.

3. DATT/NAVAL ATTACHE ON SEPTEMBER 16 MADE A LOW KEY INQUIRY WITH DOMMANDER DEANE, DIRECTOR OF LEGAL SERVICES, MOD, CONCERNING THE STATUS OF PROPOSED SOFA DRAFT. COMMANDER DEANE ADVISED HIM THAT LEGAL SERVICES HAS COMPLETED RESEARCH AND IS NOW PREPARED TO BEGIN DRAWING UP SOFA DRAFT. HE SAID GNZ SHARES OUR FEELING THAT URGENCY NOT INVOLVED AND INDICATED HIS WILLINGNESS TO COORDINATE PROPOSED DRAFT WITH DATT/NAVAL ATTACHE, CAPTAIN POWELL, JAGC AND LCDR BOORMAN, JAGC BEFORE SUBMISSION TO MINISTRY OF FOREIGN AFFAIRS.

4. WITH THE ADVENT OF INCREASED TROOP EXCHANGES AND USN SHIP VISITS IN NEW ZEALAND, I FULLY UNDERSTAND CINCPAC'S INTEREST IN CONCLUSION OF A SOFA. I FURTHER BELIEVE THAT WE SHOULD PROCEED WITH THE LOWEST POSSIBLE PROFILE. IF WE CAN LEAVE THE MATTER, FOR THE PRESENT, TO BE WORKED OUT AMONG THE LEGAL PEOPLE OF THE GNZ AND US MILITARY SERVICES, I BELIEVE WE CAN AVOID THOSE IN BOTH COUNTRIES WHO WANT TO PORTRAY A SOFA AS SOMETHING SINISTER. I WILL BE HAPPY TO WORK WITH YOU AND OTHERS TO ENSURE THE MOST FAVORABLE POSSIBLE ARRANGEMENTS.

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